

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

To facilitate the receipt of confirmation of review of the earlier cited documents before the issue fee due date of October 14, 2004, Applicants attach hereto a true copy of the PTO-1449 form and a copy of the corresponding U.S. PTO stamped postcard which indicates that the PTO-1449 form was submitted along with the corresponding Information Disclosure Statement. Applicants note that each of the references cited on the PTO-1449 was previously cited in the parent application (U.S. Appln. Ser. No. 09/186,884). Applicants respectfully request that either the original (or the enclosed replacement) PTO-1449 form be initialed by the Examiner,

confirming the earlier consideration of the listed documents, and that a copy of the initialed PTO-1449 form be forwarded to the undersigned for Applicants' file.

As the Issue Fee comes due on October 14, 2004, Applicants look forward to receipt of an initialed copy of the PTO-1449 form prior to that date.

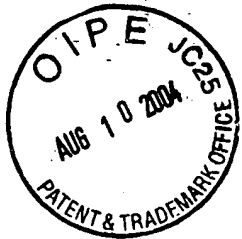
Respectfully submitted,  
SMITH, GAMBRELL & RUSSELL, LLP

By : 

Dennis C. Rodgers, Reg. No. 32,936  
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August 10, 2004

Atty. Dkt. No.  
32935RC497723



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Luis A. Ruiz

U.S. Serial No.: To Be Assigned

Group Art Unit: To Be Assigned

Filed: : September 4, 2001 (Herewith)

Examiner: To Be Assigned

For : APPARATUS AND METHOD FOR PERFORMING PRESBYOPIA CORRECTIVE :  
SURGERY

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. 1.56, Applicant is enclosing an Information Disclosure Citation Form (PTO-1449) which consolidates the references made of record in the most recent parent U.S. Patent Application No. 09/186,884.

As each of the references cited in the enclosed PTO-1449 form was previously cited in the parent application of the above-identified application, a copy of the cited references is not enclosed in accordance with 37 C.F.R. §1.98(d). Applicant respectfully requests that these documents be considered by the Examiner in the above-identified patent application and that they be made officially of record therein. It is further requested that a listing of the same appear on the face of any patent which may issue from this application.

Attorney Docket No.32935RC497723  
Serial No.: Unassigned

Applicants look forward to receipt of an initialized copy of the accompanying PTO-1449  
form acknowledging receipt of the references cited therein.

Respectfully submitted,

SMITH, GAMBELL & RUSSELL, LLP

By: 

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Date: September 4, 2001



**Postcard receipt: Please apply mail room stamp and return to**  
**SMITH, GAMBRELL & RUSSELL, L.L.P.**

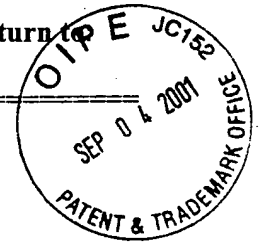
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Attorney Dkt No. :	32935RC497723
Applicants :	Luis A. Ruiz
Serial. No. :	To Be Assigned
Filed :	September 4, 2001
For: :	Apparatus and Method for Performing Presbyopia Correct

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Surgery

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**List of attached document(s):**

Continuation Patent Application Transmittal; Application consisting of 49 pages of text (including claims and Abstract) and 7 sheets of drawings; Formal Drawing Transmittal with 7 sheets of formal drawings; Copy of Declaration; Preliminary Amendment; Information Disclosure Statement and PTO Form 1449; and check for \$534.00

**Dated: September 4, 2001**

DCR/MKC:kms

12

ATTY. DOCKET NO.

SERIAL NO.

32935RC497723

To Be Assigned

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

APPLICANT

Luis Antonio RUIZ

FILING DATE

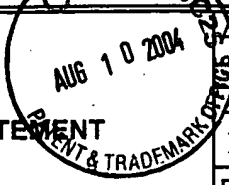
Herewith

GROUP

3739

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,173,980	11/79	CURTIN			
	AB	4,660,556	4/87	SWINGER, et al.			
	AC	4,461,294	7/84	BARON			
	AD	4,662,370	5/87	HOFFMANN, et al.			
	AE	4,665,914	5/87	TANNE			
	AF	4,674,503	6/87	PEYMAN, et al.			
	AG	4,688,570	8/87	KRAMER, et al.			
	AH	4,705,035	11/87	GIVENS			
	AI	4,718,418	1/88	L'ESPERANCE, JR.			
	AJ	4,729,372	3/88	L'ESPERANCE, JR.			
	AK	4,770,172	9/88	L'ESPERANCE, JR.			
	AL	4,773,414	9/88	L'ESPERANCE, JR.			
	AM	4,798,204	1/89	L'ESPERANCE, JR.			
	AN	4,840,175	6/89	PEYMAN			
	AO	4,856,513	8/89	MULLER			
	AP	4,880,017	11/89	SOLL			
	AQ	4,903,695	2/90	WARNER, et al.			
	AR	4,907,586	3/90	BILLE, et al.			
	AS	4,988,348	1/91	BILLE			
	AT	5,009,660	4/91	CLAPHAM			
	AU	5,019,074	5/91	MULLER			
	AV	5,133,726	7/92	RUIZ, et al.			
	AW	5,152,759	10/92	PAREL, et al.			
	AX	5,163,934	11/92	MUNNERLYN			
	AY	5,246,435	9/93	BILLE, et al.			
	AZ	5,263,951	11/93	SPEARS, et al.			
	BA	5,314,422	5/94	NIZZOLA			
	BB	5,324,281	6/94	MULLER			
	BC	5,439,462	8/95	BILLE, et al.			

FORM PTO-1449		PATTY. DOCKET NO. 92935RC497723	SERIAL NO. To Be Assigned
<b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)		APPLICANT: Luis A. Ruiz	
		FILING DATE Herewith	GROUP ART UNIT

## U.S. Patent Documents

Examiner Initials		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE, IF APPROPRIATE
	AA	5,207,668	5/4/93	L'Esperance, Jr.			
	AB	5,395,356	3/7/95	King et al.			
	AC	5,437,658	8/1/95	Muller, et al.			
	AD	5,533,997	7/9/96	Ruiz			
	AE	5,651,784	7/29/97	Klopotek			
	AF	4,941,093	7/10/90	Marshall, et al.			
	AG	5,865,830	2/2/99	Parel, et al.			
	AH	5,083,923	9/8/98	Singh-Derewa, et al.			
	AI	5,647,865	7/1997	Swinger			
	AJ	5,529,076	6/1996	Schachar			
	AK	5,803,923	3/1995	Singh-Derewa et al.			
	AL	5,806,530	9/1998	Herrick			

## Foreign Patent Documents

Examiner Initials		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
							YES	NO
	AM	EP-A-346116	12/89	EPO			x	
	AN	EP-A-402250	12/90	EPO			x	
	AO	WO 94/01067	1/94	WIPO			x	
	AP	6-181944	7/6/94	Japan				
	AQ	3-155491	7/3/91	Japan				
	AR	3-94750	4/19/92	Japan				
	AS	0 417 952	3/20/91	EPO				

## OTHER INFORMATION (Including Author, Title, Date, Pertinent Pages, Etc.)

	AT	Lasers in Surgery and Medicine, Vol. 10, No. 5, 1 January 1990, pages 463-468, XP 000385912, PALLIKARIS: "Laser In-Situ Keratomileusis".
	AU	Steinway Instrument Co., The Steinway/Barraquer In-Situ Microkeratome Set, from the Steinway Instrument Co. of San Diego, California
	AV	Surgery for Hyperopia & Presbyopia, by Neal A. Sher, M.D., F.A.C.S., Williams & Wilkins, 1997 (entire book submitted)

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	